

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lutz Heuer et al  
Serial No.: 08/338,356  
Filed: November 14, 1994  
For: MICROBICIDAL COMPOSITIONS  
Art Unit: 1209  
Examiner: A. Robinson

**FAX COPY RECEIVED****SEP 19 1995**

## D E C L A R A T I O N

I, Martin Kugler, of Am Kloster 47, D-42799 Leichlingen, Germany, a citizen of Germany declare:

That I am a biologist having studied at the University of Tübingen;

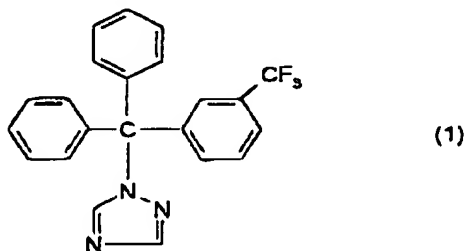
that I received the degree of doctor rer. nat. at the University of Tübingen in the year of 1986;

that in 1987 I entered the employ of Bayer Aktiengesellschaft, Leverkusen, Germany, where I am still working in the department of research of technical materials protecting agents at Krefeld, Germany;

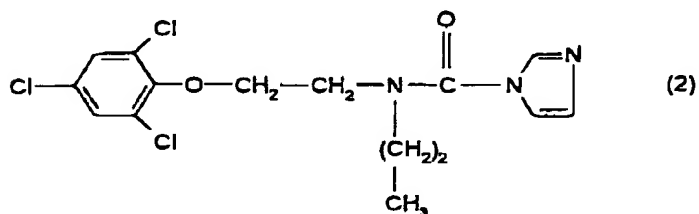
that I have 10 years' experience in the field of testing and evaluation of chemical compounds for their action on microbes attacking technical materials;

that I am one of the applicants in the above-identified application;

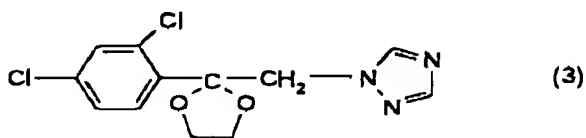
that Fluotrimazole of the formula



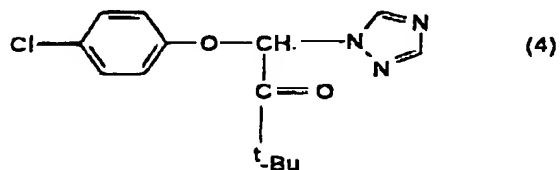
Prochloraz of the formula



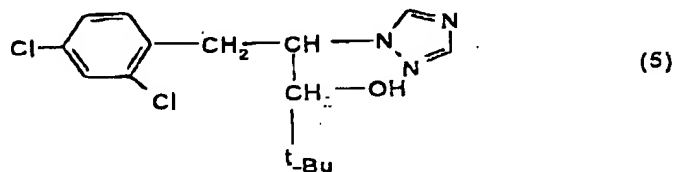
Azaconazole of the formula



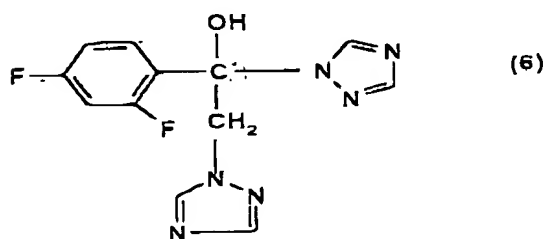
Triamedafon of the formula



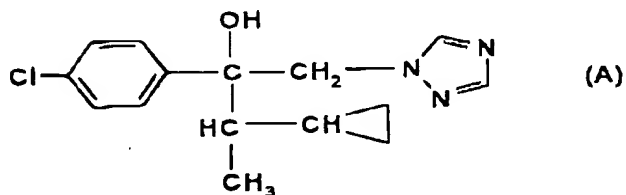
Dichlobutrazol of the formula



Fluconazole of the formula



and Cyproconazole of the formula



all show activity against phytopathogenic fungi, but that in the following inhibition test on giant colonies of wood destroying Basidiomycetes only cyproconazole yields good results.

Inhibition test on giant colonies of Basidiomycetes

Mycelium sections were removed from colonies of *Gloeophyllum trabeum*, *Coniophora puteana*, *Poria placenta*, *Lentinus tigrinus*, *Coriolus versicolor* and *Stereum sanguinolentum* and incubated on an agar medium containing malt extract peptone at 26°C. The inhibition of hyphal growth on active-compound-containing media was compared with the longitudinal growth on media without an addition of active compound and rated as per cent inhibition.

The results are shown in the table on the next page.

Results:

Inhibition as per cent inhibition at an active compound concentration of 1 ppm								
	Fluotrimazole	Prochloraz	Azaconazole	Triamedafon	Dichlobutrazole	Fluconazole	Cyproconazole	
Gloeophyllum trabeum	66	59	insufficient	insufficient	insufficient	insufficient	100	
Coniophora puteana	87	28	insufficient	insufficient	insufficient	insufficient	100	
Poria placenta	28	13	insufficient	insufficient	insufficient	insufficient	100	
Lentinus tigrinus	13	33	insufficient	insufficient	insufficient	insufficient	100	

The undersigned declarant declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Martin Kugler  
Martin Kugler

06.09.1995  
Date